

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

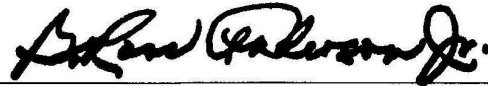
Brent Delano Hill,	)	
	)	C/A No. 9:07-cv-196-GRA-GCK
Plaintiff,	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	(Written Opinion)
Robert Dwyer,	)	
	)	
Defendant.	)	
_____	)	

Defendant filed a motion to consolidate this case with another case brought by plaintiff against other defendants but based on the same set of facts. Federal Rule of Civil Procedure 42(a) provides that “[w]hen actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated; and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.” The Court has broad discretion in deciding whether to consolidate cases. *United States v. Knauer*, 149 F.2d 519 (7th Cir. 1945); *Davis v. Yellow Cab Co.*, 220 F.2d 790 (5th Cir. 1955).

In the other case, *Hill v. Major et al.*, case number 9:06-cv-2179, the magistrate has already recommended that this Court grant summary judgment for the defendants and plaintiff has filed objections thereto. In this case, defendant just recently filed a motion for summary judgment. Plaintiff has not yet responded to the motion.

In order to prevent delay in ruling on the *Major* case, the Court DENIES defendant's motion to consolidate. The Court reserves the right to consolidate the two cases for trial at a later date, if necessary.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "G. Ross Anderson, Jr.", written over a horizontal line.

G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

April 26, 2007

Anderson, South Carolina